

DT 02-140

VERIZON NEW HAMPSHIRE/BROADVIEW NP ACQUISITION CORP  
D/B/A BROADVIEW NET PLUS

Order Approving Adopted Interconnection Agreement

O R D E R    N O.    24,052

September 13, 2002

On July 25, 2002, Verizon New England d/b/a Verizon New Hampshire (Verizon) and Broadview NP Acquisition Corp., d/b/a Broadview Net Plus (Broadview) jointly filed with the New Hampshire Public Utilities Commission (Commission) an Interconnection Agreement (Agreement) pursuant to section 252(i) of the Telecommunications Act of 1996 (Tact), 47 U.S.C. § 252(i). This Agreement was originally negotiated between Level 3 Communications, LLC and Verizon NH (Level 3 Agreement), docketed under DT 01-017 and became effective by operation of law as of April 26, 2001. Dark Air Corporation also adopted the Level 3 Agreement which was approved Nisi by Order No. 23,928 (March 8, 2002).

Broadview NP Acquisition Corp., d/b/a Broadview Net Plus, was granted certification to provide competitive local exchange carrier (CLEC) services in DT 02-062 by Order No. 23,984 dated May 31, 2002. On June 12, 2002 Broadview NP Acquisition Corp., d/b/a Broadview Net Plus became a certified Toll Provided by IXC No. 06-0002-02.

The subject Interconnection Agreement is a comprehensive set of terms and conditions that will facilitate the provisioning of telecommunications service by Broadview as a CLEC in New Hampshire.

Staff recommends the Agreement go into effect immediately because this Agreement is the adoption of an agreement previously approved by Order Nisi in Docket No. DT 02-023 and no comments or request for a hearing were received in that docket.

We have reviewed the filing and find that approval is warranted. As the Agreement is an adoption of an agreement currently in effect, we will accept Staff's recommendation and allow this Agreement to be effective immediately.

We note that Broadview may purchase services or unbundled elements from Verizon's Statement of Generally Available Terms (SGAT) and its subsequent revisions.

In order to promote the continued growth of competitive telecommunications services in New Hampshire, we will require Broadview to comply with our notice requirements regarding "Fresh Look" opportunities pursuant to Order Nos. 22,798 and 22,903. The recommended method for giving notice

is to provide the Commission with a contemporaneous copy of the Confirmation of Code Activation form which is used to notify the North American Numbering Code Administrator.

As new competitors enter the telecommunications market, we recognize that New Hampshire's 603 area code encounters constantly increasing demand. Accordingly, we will require that Broadview request and use numbers responsibly and conservatively, and invite Broadview to explore alternative mechanisms to use existing numbers as efficiently as possible.

In approving this Agreement, we require Broadview to comply with our orders on number conservation including Order No. 23,385 issued January 7, 2000, and Order No. 23,392 issued January 27, 2000, as well as further orders issued by the Commission concerning this matter.

**Based upon the foregoing, it is hereby**

**ORDERED,** that the Interconnection Agreement between Broadview NP Acquisition Corp., d/b/a Broadview Net Plus and Verizon New Hampshire is APPROVED; and it is

**FURTHER ORDERED,** that Broadview is required to comply with our Order No. 23,385 issued January 7, 2000, Order No. 23,392 issued January 27, 2000, and further orders issued by the Commission concerning number conservation; and it is

**FURTHER ORDERED,** that Broadview is prohibited from placing any orders under this Agreement and from otherwise doing business in New Hampshire until such time as Broadview has complied with all requirements of applicable federal and state law or regulation; and it is

**FURTHER ORDERED,** that Broadview will notify the Commission within ten days of making their first facility-based commercial call in any exchange that has not already been opened to a "Fresh Look" opportunity as ordered in Docket DE 96-420; and it is

**FURTHER ORDERED,** that any clause in the Agreement found to be in violation of any Commission order is null and void.

By order of the Public Utilities Commission of New Hampshire this thirteenth day of September, 2002.

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Thomas B. Getz  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

  

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Debra A. Howland  
Executive Director and Secretary